

United States District Court
for
Middle District of Tennessee

Petition to Modify the Condition or Term of Supervision
(Probation Form 49 Waiver of Hearing on the Modification is attached)

Name of Offender: Delaina Thompson Case Number: 3:12-00025-002
Name of Judicial Officer: Honorable Kevin H. Sharp, U.S. District Judge
Date of Original Sentence: December 19, 2013
Original Offense: 18 U.S.C. § 1349 Conspiracy to Commit Bank and Wire Fraud
Original Sentence: One day custody for time served and 5 years' supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: December 19, 2013
Assistant U.S. Attorney: Byron M. Jones Defense Attorney: Isaiah S. Gant

PETITIONING THE COURT

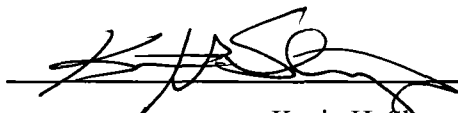
- To modify the release conditions as follows:

The defendant shall participate in drug testing and substance abuse treatment which may include a 30-day inpatient substance abuse treatment followed by up to 90 days in a residential reentry facility at the direction of the United States Probation Office. The defendant shall pay all or part of the costs if the United States Probation Office determines the defendant has the financial ability to do so or has appropriate insurance coverage to pay for such treatment.


THE COURT ORDERS:

- ☐ No Action
☐ The extension of supervision as noted above.
☒ The modification(s) as noted above.
☐ Other

Considered this 4th day of March, 2014,
and made a part of the records in the above case.


Kevin H. Sharp
U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.
Respectfully submitted,


Brad Bartels
U.S. Probation Officer

Place Cookeville, Tennessee

Date March 4, 2014

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.**

On February 28, 2014, Mrs. Thompson was given a drug test that appeared to be positive for marijuana. During a meeting with the probation officer, she admitted to smoking marijuana at a party on or about February 22, 2014. Mrs. Thompson said she knew it was "stupid" and not something she would do again. The urine sample has been mailed to the testing laboratory for confirmation.

Compliance with Supervision Conditions and Prior Interventions:


Delaina Thompson is currently unemployed and lives with her husband and two sons in Mt. Juliet, Tennessee. Mrs. Thompson began her term of supervised release on December 19, 2013, and is due to terminate supervision on December 18, 2018.

Following her positive drug test on February 28, 2014, the probation officer spoke with Mrs. Thompson and warned her of the possible ramifications of illegal drug use, both legally and personally. She was reprimanded for her actions and re-instructed not to use any illegal substances. A waiver of hearing form to modify the conditions of her supervised release was thoroughly explained to Mrs. Thompson and she stated she understood her right to representation by counsel at a hearing. Mrs. Thompson voluntarily signed the waiver to modify the conditions of her supervised release.

Mrs. Thompson has already been referred to start mental health treatment as ordered by the Court. Her home confinement has not yet started because Mrs. Thompson needed time to get a telephone line installed in her home. That line is scheduled to be installed and operable the week of March 3, 2014.

U.S. Probation Officer Recommendation:

It is recommended that Mrs. Thompson's special conditions of supervised release be modified, as indicated in this petition, to allow her to obtain the help she needs to discontinue her use of illegal substances. Assistant U.S. Attorney Byron M. Jones has been advised of the offender's noncompliance and concurs with the probation officer's recommendation for modification of the release conditions.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

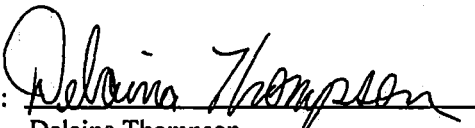
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in drug testing and substance abuse treatment which may include a 30-day inpatient substance abuse treatment followed by up to 90 days in a residential reentry facility at the direction of the United States Probation Office. The defendant shall pay all or part of the costs if the United States Probation Office determines the defendant has the financial ability to do so or has appropriate insurance coverage to pay for such treatment.

Witness:


Brad Bartels, U.S. Probation Officer

Signed:


Delaina Thompson
Probationer or Supervised Releasee

February 28, 2014

Date